

Matthew Matagrano
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July 18, 2006

Hon. Randolph F. Treece
U.S. Magistrate Judge
United States District Court
Northern District of New York
Po. Box 7367 100 S. Clinton St
Syracuse, N.Y. 13261-7367

Granted as per direction
of Judge TREECE
Dated: 7-25-06
By: RB

Re: Matagrano v. Miles, et. al;
05 Civ 1459 (DNH) (RFT)

Your Honor,


I am writing to respectfully request that I be allowed to withdraw my motion to supplement the pleading herein filed on or about May 19, 2006 and docketed as entry no. 9.

I have filed a motion for permission to amend the pleading (docket No. 4) on or about June 15, 2006 with a return date of July 28, 2006 at 10:00 a.m. This amended pleading includes

all the information of the original Complaint (November 21, 2005) the Amended Complaint (December 2, 2005) and is intended as an entire pleading to replace all the previous ones. (Docket #13).

As per the civil docket sheet in this action, defendants' have not yet been served with the Amended Pleading (Dkt No. 4) and defense counsel has yet to file an appearance.

Thus I respectfully ask that plaintiff's MOTION to Supplement Pleadings docketed on May 19, 2006 be withdrawn and for the Court to only consider plaintiff's Motion for Leave to File an Amended Complaint herein docketed on June 15, 2006. Thank you.

Respectfully Submitted,

Matthew John Motagreno
Plaintiff Pro-se